

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
MARCH 23, 2010
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Mary Ferdon, Chairperson; Jeff Sharp, Lou Marr
Tom Wetherald, and alternate Dennis Crider

Staff Present: Laura Thayer, Assistant Planning Director; Heather Pope,
Senior Planner; Emilie Pannell, Associate Planner; Alan
Whitted, Deputy City Attorney; and Stephanie Carr, Code
Enforcement

PUBLIC MEETING

Mary Ferdon, Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

OLD BUSINESS REQUIRING BOARD ACTION

None

NEW BUSINESS REQUIRING BOARD ACTION

Public Hearing

C/DS-09-43: La Quinta Inn and Suites

La Quinta Inn and Suites is a request by Columbus Hospitality, LLC for a development standards variance from Zoning Ordinance Section 8.2(D)(1) to allow a buffer yard type B with none of the required landscaping; and a development standards variance from Zoning Ordinance Section 10(H)(6) to allow an interstate oriented sign in a front yard. The property is located at 101 Carrie Lane in the City of Columbus.

Jeff Rocker and Amit Patel stated their names and addresses into the record.

Ms. Pope read the background into the record. She said the applicant has requested a variance from zoning ordinance Section 8.2(D) (1) to allow the installation of a buffer yard type B with none of the required landscaping; and also a variance from Zoning

Ordinance Section 10(H) (6) is to allow an existing interstate oriented sign to remain in the front yard.

Ms. Pope said under the Criteria for the landscaping the property immediately adjacent to the La Quinta Inn & Suites site is zoned for public and semi-public facilities. The property is currently used as a storage yard for the State Highway Garage, owned by the State of Indiana. There are no immediate plans to change the use of this property. However, a nature preserve, adult and child daycare, park, museum are all permitted uses in this district and would benefit from the better landscaping.

She said that the zoning ordinance requires the buffer yard to be 15 feet wide plus any additional required setbacks, 10 feet in this case, for a total of 30 feet from the south property allowing plenty of room for planting and maintenance in the required landscape buffer yard.

Ms. Pope said that INDOT was notified of the variance request and has not commented either in favor or in opposition.

There was a power point presentation of the property.

Mr. Rocker also had a power point presentation.

He said this situation is not based on a perceived reduction or economic gain, and the land to the south will not be negatively impacted by the elimination of the buffer yard.

Mr. Rocker said the southern property line does not currently have the buffer yard.

He said that for the sign request that the original sign currently exists and does not impact the community.

Mr. Rocker said this condition exists today and has been in place for at least 26 years without affecting the area adjacent to the property. He said that the new proposed location of the interstate oriented sign will be placed in the middle of the new parking lot or in the retention area which is 8 feet below grade. Maintaining the current location will not negatively impact the area.

There was no one to speak at the public hearing.

Lou Marr made a motion to deny **C/DS-09-43** to allow the installation of a buffer yard type B with none of the required landscaping, accepting staff's findings of fact.

The motion died for lack of second.

Tom Wetherald made a motion to approve **C/DS-09-43** with criteria 3 being met.

Mr. Wetherald withdrew his motion.

Jeff Sharp made a motion to approve **C/DS-09-43** to allow the buffer Yard Type B with none of the required landscaping, accepting the staff's finding for criteria 1 and 2. He said criterion 3 was met because the new landscape plan meets the intent of the zoning ordinance by buffering the property to the south. There is a practical difficulty in the use of the property due to the drainage and utility easement along the south property line, and because of the necessary elevation change due to the property being located in flood zone AE.

The motion was seconded by Tom Wetherald, and passed 4-1.

Jeff Sharp made a motion to approve **C/DS-09-43** to allow an existing interstate oriented sign to remain in the front yard, accepting the staff's finding for criterion 1. He said criterion 2 was met because this application was filed back in December and has been on the Board of Zoning Appeals agenda for three months without one neighboring property owner calling the Planning Department or attending any of the meetings. Therefore the neighboring property owners must have no complaints regarding the two requests. He said criterion 3 was met, and that the practical difficulties were met, based on the elevation of the building due to the property being located in a flood zone, and the existing tree line that shields this site from the interstate.

Tom Wetherald seconded the motion.

Ms. Ferdon wanted to make a statement that she believes that in this particular case that she would be voting in favor of the petition because she believes that the flood elevation is an important point. She said she felt that the signs were actually going to be shorter than they could be and have less square footage than they could. She said she is constantly looking for ways to help with the sign clutter.

The motion passed 4-1.

NEW BUSINESS REQUIRING BOARD ACTION

C/CU-10-04: Columbus Signature Academy

Columbus Signature Academy is a request by Bartholomew Consolidated School Corporation for a conditional use approval to allow shared, off-site parking for a school, per Zoning Ordinance Section 7.1(Part 2)(A)(2). The school property is located at 2205 25th Street in the City of Columbus. The proposed shared, off-site parking location is at

Lincoln Park, on the southeast corner of 25th Street and Hawcreek Avenue, in the City of Columbus.

David Hayward and Tom Forster stated their names and addresses for the record.

Ms. Pope began by reading the background into the record.

She said the applicant has indicated that the proposed conditional use will allow the expansion of a school. The Columbus Signature Academy High School moved to their current location in March 2008 and began Phase 1 of their project which included 14 classrooms. Phase 1 accommodated freshmen and sophomores. At this time, BCSC is proposing Phase II of their project which includes the addition of 5 classrooms and a 27 space parking lot expansion. Phase II of the project will accommodate juniors and seniors.

Ms. Pope said the applicant has indicated that the proposed conditional use will allow off-site, shared parking for the Columbus Signature Academy (CSA) High School at Lincoln Park.

She said that they had not received any comments from City Utilities or the City Engineering Department. The Columbus Fire Department had no issues with the project.

Mr. Hayward began by introducing Mike Reed, the principal of Columbus Signature Academy High School, and then began his presentation.

Mr. Hayward said that an agreement between the Parks Dept. and BCSC will be provided. He said they do not believe that the proposed arrangement will be a hardship for pedestrians. Mr. Hayward also said the arrangement will not result in hazardous traffic conditions. There will be a pedestrian signal at 25th Street and Hawcreek Avenue along with signs and markings in order to provide a safe crossing.

Mr. Hayworth said the proposed parking arrangement will make use of existing parking lots, which are under-utilized. He said the timing of the school and park parking demands are complementary and the use of existing facilities is much less damaging to the neighborhood than the use of additional land for new parking facilities.

Mr. Hayworth said that the Comprehensive Plan cites the lack of sidewalks and pedestrian connections in some areas. The immediate area does lack sidewalks; the proposed plan includes the installation of sidewalks from the school to the parking lot in Lincoln Park. Busing for students is currently and will continue to be provided by BCSC.

Ms. Ferdon had question about concerns about safety.

The meeting was open to the public.

Cathy Wright of 2019 Caldwell had concerns about the traffic in the neighborhood.

Frank Anderson was in favor of the petition.

The meeting was closed to the public.

Lou Marr made a motion to approve **C/CU-10-04**, accepting the staff's findings of fact, with the following conditions:

1. A written agreement as defined in Zoning Ordinance Section 7.1(Part 2)(A), signed by BCSC and the City of Columbus Parks and Recreation Department, must be provided to the Planning Department.
2. A pedestrian easement shall be established and recorded for the proposed sidewalk from Lincoln Park to the Columbus Signature Academy. The pedestrian easement shall be located on each property that the sidewalk crosses.
3. The Lincoln Park parking lot proposed to be used for off-site parking shall be restriped.
4. Pedestrian activated signals shall be installed on both sides of the 25th Street and Hawcreek Avenue intersection.

Jeff Sharp seconded the motion, and it passed 5-0.

Lou Marr made a motion to approve **C/CU-10-05**, accepting the staff's findings of fact, with the following conditions:

5. A written agreement as defined in Zoning Ordinance Section 7.1(Part 2)(A), signed by BCSC and the City of Columbus Parks and Recreation Department, must be provided to the Planning Department.
6. A pedestrian easement shall be established and recorded for the proposed sidewalk from Lincoln Park to the Columbus Signature Academy. The pedestrian easement shall be located on each property that the sidewalk crosses.
7. The Lincoln Park parking lot proposed to be used for off-site parking shall be restriped.
8. Pedestrian activated signals shall be installed on both sides of the 25th Street and Hawcreek Avenue intersection.

Jeff Sharp seconded the motion, and it passed 5-0.

FINDINGS OF FACT

C/CU-10-02: The Ridge

Jeff Sharp made a motion to accept the findings of fact, which was seconded by Tom Wetherald. The motion carried by a vote of 4-0.

C/DS-10-01: PNC Bank

Jeff Sharp made a motion to accept the findings of fact, which was seconded by Tom Wetherald. The motion carried by a vote of 4-0.

APPROVAL OF MINUTES

Jeff Sharp made a motion to accept the findings of fact. The motion was seconded by Lou Marr and approved by a vote of 4-0

There being no more further business the meeting was adjourned.

Mary Ferdon, Chairperson

Jeff Sharp, Acting Secretary